

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

WENDY GASPARD AND KEVIN GASPARD

PLAINTIFFS

V.

CIVIL ACTION NO. 1:06cv610-LTS-RHW

RIMKUS CONSULTING GROUP, INC.,
THOMAS E. HEIFNER, P.E., INDIVIDUALLY,
PAUL D. COLEMAN, INDIVIDUALLY,
GARY L. BELL, INDIVIDUALLY, AND
STATE FARM FIRE AND CASUALTY COMPANY

DEFENDANTS

ORDER

In accordance with a Memorandum Opinion filed contemporaneously herewith, **IT IS ORDERED:**

Defendant Rimkus Consulting Group, Inc.'s [3] Motion to Dismiss for Failure to State a Claim under Fed. R. Civ. P. 12(b)(6) (docketed as a Motion to Dismiss for Lack of Jurisdiction) is **DENIED**.

Because Defendant Paul D. Colman (incorrectly identified in the pleadings as "Coleman") has been voluntarily dismissed by stipulation[21], his [3] Motion to Dismiss for Failure to State a Claim under Fed. R. Civ. P. 12(b)(6) (docketed as a Motion to Dismiss for Lack of Jurisdiction) is **DENIED AS MOOT**.

SO ORDERED this the 13th day of September, 2006.

s/ L. T. Senter, Jr.

L. T. Senter, Jr.
Senior Judge